

PTO-854 (07-05)  
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OMB Control Number (for paper use): 2140-07-00031

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	
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OCT 10 2005

First named inventor: David Kuhn

Application No.: 09/691,371

Art Unit: 2634

Filed: August 28, 2001

Examiner: Fox, Eric M.

Title: Phase Modulation Power Spreading used to Reduce RF or Microwave Transistor Oscillator Power Spur Levels

Address: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (703) 273-2300

**NOTE:** If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 273-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice of  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus an extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

Small entity fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.  
 Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in  
the form of enclosure (specify type of reply):

has been filed previously on \_\_\_\_\_  
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_  
 has been paid previously on \_\_\_\_\_  
 is enclosed herewith.

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The content of information is governed by 37 CFR 1.137(c). The information is required to submit or return a copy of the petition to the Patent Office in the public interest or to the public interest or to the  
USPTO to process an application. Confidentiality is guaranteed by 35 U.S.C. 133 and 37 CFR 1.15 and 1.16. This document is submitted to the USPTO in confidence. This will only be disclosed within the public interest case. Any comments on the contents of this form should be directed to the Office of Petitions, Small Entity Division, 2000 Leesburg Pike, Falls Church, VA 22041-3802. DO NOT SEND FEES OR COMPLETED  
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 703-272-6720 and select option 2.

10/12/2005 JBALINAN 00000018 501214 09941371

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PTO/SB/04 M7-05  
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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

## 3. Terminal disclaimer with disclaimer fee

Since this utility patent application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.26(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of term is enclosed herewith (see PTO/SB/03).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(d) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(d) was unintentional (MPEP 711.05(c), subsections (1)(C) and (D)).]

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and application on PTO-2038.

John S. Parrygome  
Signature

October 10, 2005

Date

John S. Parrygome  
Typed or printed name

31051  
Registration Number, if applicable

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Address

Enclosures:  Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Pardon, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (371) 373-6300.

October 10, 2005

Date

Quelle A. Wiggins  
Signature

Quelle A. Wiggins  
Typed or printed name of person signing certificate

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